

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEWAYNE KEITH LONG, JR. and  
HOLLY L. LONG,

Plaintiffs,

vs.

DEWAYNE KEITH LONG, SR. and  
DOES 1 THROUGH 100, Inclusive,

Defendants.

8:15-CV-243

ORDER

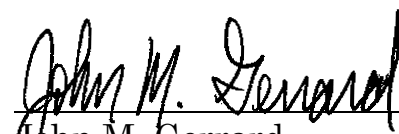
This matter is before the Court on the defendant's objection (filing 11) to the Magistrate Judge's order (filing 10) denying his "motion to correct the record" (filing 8). The defendant's motion sought to change the case caption to eliminate the use of the suffix "Sr.", complaining that he has never referred to himself that way. Filing 8. The Magistrate Judge denied the motion, reasoning that the complaint sufficiently identifies the defendant and uses "Sr." simply to clarify the identities of the parties. Filing 10.

A district court may reconsider a Magistrate Judge's ruling on nondispositive pretrial matters only where it has been shown that the ruling is clearly erroneous or contrary to law. *See*, 28 U.S.C. § 636(b)(1)(A); *Ferguson v. U.S.*, 484 F.3d 1068 (8th Cir. 2007). The Magistrate Judge's ruling here was not clearly erroneous nor contrary to law. Whether the allegations made in the plaintiffs' complaint are true, and state a claim for relief, are matters that will be determined by the Court in due course, not on a preliminary motion. Therefore, the defendant's objection (filing 11) is overruled.

IT IS SO ORDERED.

Dated this 5th day of October, 2015.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge